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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/771,902 | 02/04/2004 | Eric Edwards | Sony-06000 | 3886 |

7590 05/19/2005
Valley Oak Law
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EXAMINER

ABRISHAMKAR, KAVEH

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| ART UNIT | PAPER NUMBER |
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2131

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|--------------------------------|--|
| Office Action Summary | Application No. 10/771,902 | Applicant(s) EDWARDS ET AL. | |
| | Examiner Kaveh Abrishamkar | Art Unit 2131 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>2/01/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This action is in response to the communication filed on February 4, 2004. Claims 1-28 were received for consideration. No preliminary amendments for the claims were received. Claims 1-28 are currently being considered.

Information Disclosure Statement

2. An initialed and dated copy of Applicant's IDS form 1449, Received 2/01/2005, is attached to this Office action.

Claim Objections

3. Claims 12-16 are objected to because of the following informalities: The claims are listed as being dependent on claim 100. The examiner assumes that the claims are meant to be dependent on claim 11. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Whitham (U.S. Pub. No. US2003/0009281).

Regarding claim 1, Whitham discloses:

A method comprising:
sensing a user profile (paragraph 45);
determining a geographic location of a device (paragraph 57);
transmitting at least one suggestion to the device based on the geographic location of the device and the user profile wherein the suggestion indicates a photo opportunity (paragraph 20, paragraph 65).

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Whitham discloses:

The method according to claim 1 wherein the user profile includes at least one content type (paragraph 45).

Claim 3 is rejected as applied above in rejecting claim 1. Furthermore, Whitham discloses:

The method according to claim 1 wherein the device is an imaging sensing device (paragraph 57).

Claim 4 is rejected as applied above in rejecting claim 3. Furthermore, Whitham discloses:

The method according to claim 3 wherein the image sensing device is a camera device (paragraph 57).

Claim 5 is rejected as applied above in rejecting claim 1. Furthermore, Whitham discloses:

The method according to claim 1 further comprising selecting the at least one suggestion from a plurality of suggestions within a photo opportunity database wherein each suggestion includes a content type and a geographic location (paragraph 22, paragraph 65).

Claim 6 is rejected as applied above in rejecting claim 5. Furthermore, Whitham discloses:

The method according to claim 5 further comprising adding additional suggestions to the at least one suggestion by widening an area around the geographic location of each suggestion that the device is found within (paragraph 16, paragraph 19, paragraph 50, paragraph 64).

Claim 7 is rejected as applied above in rejecting claim 5. Furthermore, Whitham discloses:

The method according to claim 5 further comprising adding additional suggestions to the at least one suggestion by relaxing a requirement that the content type of each suggestion match the user profile (paragraph 47, paragraph 50, paragraph 65-66).

Claim 8 is rejected as applied above in rejecting claim 5. Furthermore, Whitham discloses:

The method according to claim 5 further comprising reducing a number of the at least one suggestion by narrowing an area around the geographic location of each suggestion that the device is found within (paragraph 47, paragraph 64-66).

Claim 9 is rejected as applied above in rejecting claim 5. Furthermore, Whitham discloses:

The method according to claim 5 further reducing a number of the at least one suggestion by tightening a requirement that the content type of each suggestion match the user profile (paragraph 47, paragraph 50, paragraph 65-66).

Regarding claim 10, Whitham discloses:

A system comprising:

means for sensing a user profile (paragraph 45);

means for determining a geographic location of a device (paragraph 57);

means for transmitting at least one suggestion to the device based on the geographic location of the device and the user profile wherein the suggestion indicates a photo opportunity (paragraph 20, paragraph 65).

Regarding claim 11, Whitham discloses:

- sensing a user profile (paragraph 45);
- determining a geographic location of a device (paragraph 57);
- identifying a plurality of suggestions from a photo opportunity database based on the geographic location of the device and the user profile wherein each suggestion indicates a unique photo opportunity (paragraph 20, paragraph 65);
- transmitting the plurality of suggestions to the device (paragraph 20, paragraph 65);
- receiving a selection from the device wherein the selection is chosen from the plurality of suggestions (paragraph 22, paragraph 65).

Claim 12 is rejected as applied above in rejecting claim 11. Furthermore, Whitham discloses:

The method according to claim 11 wherein the device is a camera device (paragraph 57).

Claim 13 is rejected as applied above in rejecting claim 11. Furthermore, Whitham discloses:

The method according to claim 11 wherein the detailed information includes a sample image of the selection (paragraph 47).

Claim 14 is rejected as applied above in rejecting claim 11. Furthermore, Whitham discloses:

The method according to claim 11 wherein the detailed information includes directions to the selection based on the geographic location of the camera device (paragraph 65).

Claim 15 is rejected as applied above in rejecting claim 11. Furthermore, Whitham discloses:

The method according to claim 11 wherein the detailed information includes a description of the selection (paragraph 66).

Claim 16 is rejected as applied above in rejecting claim 11. Furthermore, Whitham discloses:

The method according to claim 11 further comprising detecting an image captured by the camera device (paragraphs 72-73).

Claim 17 is rejected as applied above in rejecting claim 16. Furthermore, Whitham discloses:

The method according to claim 16 further comprising comparing the captured image with a sample image corresponding to the selection (paragraph 49, paragraph 56, paragraphs 72-74).

Claim 18 is rejected as applied above in rejecting claim 17. Furthermore, Whitham discloses:

The method according to claim 17 further comprising adding descriptive text to the captured image based on the comparing the captured image with the sample image (paragraphs 72-74).

Claim 19 is rejected as applied above in rejecting claim 16. Furthermore, Whitham discloses:

The method according to claim 16 further comprising updating the user profile based on the captured image (paragraphs 72-74).

Claim 20 is rejected as applied above in rejecting claim 16. Furthermore, Whitham discloses:

The method according to claim 16 further comprising detecting a content type of the captured image (paragraphs 72-74).

Regarding claim 21, Whitham discloses:

A system, comprising:

an interface module configured for receiving a geographical location of a camera device (paragraph 57);

a storage module configured for storing a user profile wherein the user profile includes at least one content type (paragraph 45); and

a review module configured for providing at least one suggestion based on the content type and the geographical location of the camera device (paragraph 20, paragraph 65).

Claim 22 is rejected as applied above in rejecting claim 21. Furthermore, Whitham discloses:

The system according to claim 21 wherein the interface module is configured for receiving a selection from the camera device wherein the selection is from at least one suggestion (paragraph 22, paragraph 65).

Claim 23 is rejected as applied above in rejecting claim 22. Furthermore, Whitham discloses:

The system according to claim 22 wherein the interface module is configured to transmit a detailed description to the camera device wherein the detailed description corresponds to the selection (paragraph 66).

Claim 24 is rejected as applied above in rejecting claim 23. Furthermore, Whitham discloses:

The system according to claim 23 wherein the detailed description includes a sample image of the selection (paragraph 66).

Claim 25 is rejected as applied above in rejecting claim 23. Furthermore, Whitham discloses:

The system according to claim 23 wherein the detailed description includes a description of the selection (paragraph 66).

Claim 26 is rejected as applied above in rejecting claim 23. Furthermore, Whitham discloses:

The system according to claim 23 wherein the detailed description includes directions to the selection based on the geographic location of the camera device (paragraph 65).

Claim 27 is rejected as applied above in rejecting claim 22. Furthermore, Whitham discloses:

The system according to claim 22 wherein the storage module is configured to store a photo opportunity database that includes a plurality of photo opportunity listings wherein each listing is associated with a geographic area and a content type (paragraph 45).

Regarding claim 28, Whitham discloses:

A computer-readable medium having computer executable instructions for performing a method comprising:

sensing a user profile (paragraph 45);

determining a geographic location of a device (paragraph 57);

identifying a plurality of suggestions from a photo opportunity database based on the geographic location of the device and the user profile wherein each suggestion indicates a unique photo opportunity (paragraph 20, paragraph 65);

transmitting the plurality of suggestions to the device (paragraph 20, paragraph 65);

receiving a selection from the device wherein the selection is chosen from the plurality of suggestions (paragraph 22, paragraph 65); and

transmitting detailed information corresponding to the selection to the device (paragraph 65).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Abrishamkar whose telephone number is 571-272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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05/13/05


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